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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/587,228	06/02/2000	Glen R. Walters	6169-130	6037

7590 03/26/2004

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EXAMINER

KANG, PAUL H

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 03/26/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/587,228

Applicant(s)

WALTERS, GLEN R.

Examiner

Paul H Kang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2, 11-14, 23-26, 35-38 and 47-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skopp et al., US Pat. No. 6,256,739 in view of Damico et al., US Pat. No. 5,819,285.

3. As to claims 1 and 25, Skopp teaches the invention substantially as claimed. Skopp teaches a method and a machine readable storage for preventing access to a document in a server in a computer communications network (Skopp, col. 1, line 40 – col. 4, line 24), said method and machine readable storage comprising the steps of:

establishing a list of allowable sources from which a request to access said document can originate (Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27);

receiving a request for said document from a requesting client (Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27);

detecting in said request an identity of a source of said request (Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27);

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comparing said detected identity with said list of allowable source documents from which a request to access said document can originate (Skopp, col. 6, line 65 – col. 7, line 27); and

servicing said request if said detected identity matches an allowable source document contained in said list of allowable source documents (Skopp, col. 6, line 65 – col. 7, line 27).

However, Skopp does not explicitly teach that the source is a source document. In the same field of endeavor, Damico teaches a method and system for tracking user path wherein the address of the source document is used to determine whether user request should be authorized (See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14). It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated the use of a source document, as taught by Damico, into the access control system of Skopp for the purpose of monitoring and authenticating server access by tracking Co-Marketer information.

4. As to claims 13 and 37, Skopp-Damico teach both sender blocking as well as sender acceptance lists (See Damico, col. 6, lines 23-38).

5. As to claims 2, 11, 12, 14, 23, 24, 26, 35, 36, 38, 47 and 48, Skopp-Damico teach denying said request if said detected identity does not match an allowable or does match a prohibited source document contained in said list of allowable or prohibited source documents and not serving said requested document to said requesting client (See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

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6. Claims 3-10, 15-22, 27-34 and 39-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Skopp-Damico, as applied above, and further in view of Dutta, US Pat. No. 6,537,424.

7. As to claims 12, 24, 36 and 48, Skopp-Damico teach serving a second substitute document for said requested document if the requested document is not served (See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14 and col. 10, lines 14-39).

8. In the same field of endeavor, Dutta teaches a system for restricting deep hyperlinking on the WWW wherein a second substitute document is sent to the requesting user if the requested document is not served (See Dutta, col. 4, line 10 – col. 6, line 16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to have incorporated serving a second substitute document in place of the original, as taught by Dutta, into the system of Skopp-Cobb for the purpose of enhancing the user interface to enable efficient browsing and to increase user friendliness.

9. As to claims 3, 4, 15, 16, 27, 28, 39 and 40, Skopp-Damico teach said request is a hypertext transfer protocol request, and said step of receiving comprises the step of receiving said hypertext transfer protocol request from an activated hyperlink in a hypertext source document, said hypertext source document being hypertext linked to said requested document (Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27 and See Damico, col. 6,

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lines 23-38 and col. 7, line 16 – col. 8, line 14).

10. As to claims 5, 6, 17, 19, 29, 30, 41 and 43, Skopp-Damico teach said step of detecting comprises the steps of extracting a request header from said request; and detecting in said request header said identity expressed in a URL (See Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27; See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

11. As to claims 7, 18, 31 and 42, Skopp-Damico teach said requested document is a web page (Skopp, col. 6, line 65 – col. 7, line 27 and col. 8, line 19 – col. 9, line 27; See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

12. As to claims 8, 20, 32 and 44, Skopp-Damico teach servicing said request if an identity is not detected in said request (See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

13. As to claims 9, 21, 33 and 45, Skopp-Damico teach denying said request if an identity is detected in said request (See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

14. As to claims 10, 22, 34 and 46, Skopp-Damico teach said step of servicing said request comprises the step of serving said requested document to said requesting client (Skopp, col. 6, line 65 – col. 7, line 27; See Damico, col. 6, lines 23-38 and col. 7, line 16 – col. 8, line 14).

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Response to Arguments

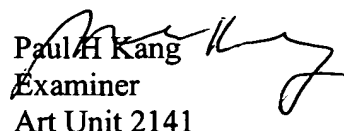
Applicant's arguments with respect to claims 1-48 have been considered but are moot in view of the new ground(s) of rejection. It is noted that the declaration filed under 37 CFR 1.131 was missing from the response filed on December 31, 2003 (paper no. 7), therefore has not been considered. However, since the Dutta reference has been removed in light of the newly cited prior art, the declaration is moot.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul H Kang whose telephone number is (703) 308-6123. The examiner can normally be reached on 9 hour flex. First Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Paul H Kang
Examiner
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